

AMENDED IN SENATE APRIL 9, 2003

SENATE BILL

No. 842

Introduced by Senator Karnette

February 21, 2003

An act to add Section 60061.8 to the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

SB 842, as amended, Karnette. Instructional materials: universal design.

Existing law provides for the adoption and selection of quality instructional materials for use in elementary and secondary schools, and imposes requirements upon publishers and manufacturers of instructional materials.

This bill would ~~declare the intent of the Legislature to~~ require publishers to apply universal design strategies when creating instructional materials. The bill would also require publishers to extend design principles of ~~traditional media~~ *technology-based materials, as defined*, to instructional materials, and to design digital multimedia programs intended for use by the general population of pupils in ways that facilitate access by pupils with disabilities who are progressing in the general curriculum.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ *no*. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 60061.8 is added to the Education Code,
2 to read:

1 60061.8. (a) Recognizing that the range of performance and
2 ability of pupils in kindergarten and grades 1 to 12, inclusive,
3 varies greatly, ~~it is the intent of the Legislature to require~~
4 publishers ~~to~~ shall apply universal design strategies when creating
5 instructional materials intended for use by pupils and teachers in
6 the public schools after January 1, ~~2004~~ 2005.

7 (b) “Performance and ability,” as used in this section, means
8 the ability to see, hear, move, read, write, attend, organize, focus,
9 engage, and remember.

10 (c) “Universal design,” as used in this section, means
11 integrated design strategies that accommodate the widest range of
12 pupils possible, including those with disabilities. Integrated design
13 strategies shall be applied to print, video, audio, and digital
14 instructional materials, or any combination thereof.

15 (d) A publisher shall extend design principles of ~~traditional~~
16 ~~media~~ *technology-based materials as defined by Section 60010*, to
17 include the following:

18 (1) All print materials shall have sharp, clear, high contrast
19 fonts. Print materials designed for kindergarten and grades 1 and
20 2 shall use fonts that are at least 20 point.

21 (2) All video products *designed for pupils in kindergarten and*
22 *grades 1 to 12, inclusive*, shall be closed-captioned for
23 hearing-impaired pupils, except those portions, if any, where the
24 publisher does not have the rights to do so.

25 (3) Internet resources for pupils *in kindergarten and grades 1*
26 *to 12, inclusive*, shall meet or exceed ~~widely accepted~~ standards for
27 Web accessibility, as ~~determined by the State Department of~~
28 ~~Education~~ *as set forth in Section 794d of Title 29 of the United*
29 *States Code*.

30 (e) A publisher shall design digital multimedia programs
31 intended for use by the general population of pupils in ways that
32 facilitate access by pupils with disabilities who are progressing in
33 the general curriculum. Accessible design attributes shall be
34 incorporated when the specifications of the digital multimedia can
35 functionally accommodate features of universal design. If
36 technologically feasible, a publisher shall design the multimedia
37 program to allow the user to control sizing of images and fonts,
38 speed and volume of audio, colors or contrast, or both colors and
39 contrast, and other inherently transformable attributes, but not for
40 modification of content, to match individual performance and

1 abilities. If a publisher is not able to create a multimedia program
2 that satisfies the requirements of this subdivision, an alternative
3 accessible format, such as a rich text file (RTF), meeting State
4 Department of Education specifications, shall be provided by the
5 publisher at no additional cost.

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